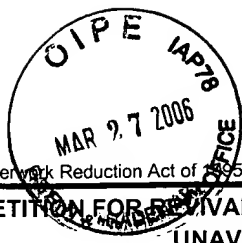


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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

DAE
IPW

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

96-002-C1

First Named Inventor: JAY S. WALKER

Art Unit: 3713

Application Number: 09/112131

Examiner: K. Nguyen

Filed: July 8, 1998

Title: METHOD AND APPARATUS FOR A CRYPTOGRAPHICALLY-ASSISTED COMMERCIAL NETWORK
SYSTEM DESIGNED TO FACILITATE AND SUPPORT EXPERT-BASED COMMERCE

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or
action by the United States Patent and Trademark Office. The date of abandonment is the day after the
expiration date of the period set for reply in the Office notice or action plus any extensions of time actually
obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed
before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

☐ Small entity - fee \$ _____ (37 CFR 1.17(l)). Applicant claims small entity status.
See 37 CFR 1.27.

☒ Other than small entity - fee \$ 500.00 (37 CFR 1.17(l)).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of

(identify the type of reply):

- ☒ has been filed previously on January 23, 2006.
- ☒ is enclosed herewith.

B. The issue fee of \$ _____

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

(Page 1 of 3)

This collection of information is required by 37 CFR 1.137(a) The information is required to obtain or retain a benefit by the public which is to file (and
by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take
8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the
individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to
the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO
NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
 UNAVOIDABLY UNDER 37 CFR 1.137(a)**

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ or a small entity or \$ _____ ther than a small entity) disclaiming the required period of time enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and

Michael D. Downs
 Signature

March 24, 2006

Date

Michael D. Downs

Typed or printed name

50,252

Registration Number, if applicable

Two High Ridge Park

Address

203.461.7292

Telephone Number

Stamford, CT 06905

Address

Enclosure ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unavoidable delay

☐

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 272-8300.

March 24, 2006

Date

Veronika S. Leliever
 Signature

Veronika S. Leliever

Typed or printed name of person signing certificate

Doc Code:

PTO/SB/61 (10-05)
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UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.


Signature

March 24, 2006
Date

Michael D. Downs
Typed or printed name

50,252
Registration Number, if applicable

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

DOCUMENTS TIMELY FILED BUT NOT RECEIVED BY USPTO

Request for Reconsideration of the Holding of Abandonment - No Abandonment in Fact Summary of Request

Applicants request reconsideration and withdrawal of the abandonment of the present application, per MPEP 711.03. Since a reply was timely filed, there was no abandonment in fact.

Facts

The most recent Office Action was mailed August 25, 2005. A Combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences & Petition for Extension of Time Under 37 CFR 1.136(a) (Small Entity) was filed by Applicants on January 23, 2006 in response to this Office Action. The Combined Notice of Appeal with Petition for Extension of Time was received by the USPTO on January 26, 2006. The shortened statutory period for Notice of Appeal (filed herewith) is three months from the receipt date of the Office Action, i.e., November 25, 2005, which is extendable for three additional months (i.e., up to February 25, 2006).

Applicants filed a Response to this Office Action in form of a Notice of Appeal on January 23, 2006, including the requisite fee for extension of time for two months. Thus, the Response was filed less than six months after the mailing date of the Office Action. Attached are copies of the Combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences & Petition for Extension of Time Under 37 CFR 1.136(a) (Small Entity), and Return Receipt Postcard with USPTO stamp confirming receipt on January 26, 2006.

Nevertheless, a Notice of Abandonment was mailed March 8, 2006.

Applicants request that the Abandonment of the Application be withdrawn because there was no abandonment in fact. Applicants specifically request that the Application be considered as never abandoned, and the response filed on January 23, 2006 (with sufficient fees for extension of time) be accepted as timely filed.

Furthermore, Applicants respectfully request that upon review of this case and confirming validity of the above-captioned remarks, USPTO refund the petition fee of \$500.00.

(Please attach additional sheets if additional space is needed.)